



**Town of Swampscott**  
**Select Board Meeting Minutes**  
Wednesday, September 16, 2020 – 6:00 PM  
Virtual Meeting

**SELECT BOARD MEMBERS PRESENT**

Peter Spellios (Chair), Polly Titcomb, Neal Duffy, David Grishman, Don Hause

**MEMBERS ABSENT**

None

**OTHER TOWN OFFICIALS PRESENT**

Sean Fitzgerald, Town Administrator; Allie Fiske, Assistant to the Town Administrator; Ron Mendes, Assistant Town Administrator – Administration and Finance; Marzie Galazka, Director of Community & Economic Development; Molly O’Connell, Senior Planner; Marissa Meaney, Land Use Coordinator; Tom McEnaney, KP Law; Patrick Luddy, Assistant Treasurer; Amy Sarro, Town Treasurer

The meeting was called to order at 6:05pm

**PUBLIC COMMENT**

Resident asked why Select Board will not entertain questions about personnel matters. Select Board Chair Peter Spellios explained that under state law if the subject of a personnel matter were to be raised at a Select Board meeting, the Select Board would have to notify that employee and invite them to be part of the meeting. Alternatively, that content would be discussed at an Executive Session.

**INTRODUCTION**

Sean Fitzgerald welcomed Marissa Meaney, the new Land Use Coordinator in the Office of Community & Economic Development.

**APPOINTMENT TO MASSPORT COMMUNITY ADVISORY COMMITTEE**

Town Administrator Fitzgerald introduced Alice Stein and recommended her to serve as the Swampscott recommendation to the Massport Community Advisory Committee. Ms. Stein provided information about her background, demonstrated her knowledge of the flight operations, and expressed her interest in serving. Mr. Spellios requested that Ms. Stein join the Select Board for public meetings in advance of or after Massport Community Advisory

Committee meetings. Ms. Stein also expressed interest in connecting with other community individuals who have expertise in the community.

On **MOTION** (Duffy) and **SECONDED** (Hause) it was **VOTED** by roll call to appoint Alice Stein as the Swampscott representative to the Massport Community Advisory Committee. Roll call: Duffy (YES) Grishman (YES) Hause (YES) Titcomb (YES) Spellios (YES)

### **DEMENTIAL FRIENDLY**

Co-Chair of the Swampscott for All Ages Committee Heidi Whear introduced the Dementia Friendly Initiative and provided a history of the actions of the initiative to date. In 2017 they began to do training with Town staff and community on dementia and will continue to do so. They will provide community education through Stay Connected Series. They have also started a weekly support group for caregivers with people with dementia. They want to create a dementia friendly designation so businesses can train their employees and respond to individuals who may come in with dementia. She described their plan to initiate purple table reservation at restaurants which would ensure that staff would know to accommodate individuals with dementia as needed.

There are 310 people in Swampscott living with dementia. Ms. Whear stated that the committee is looking for individuals to sign a document pledging that Swampscott will continue to take action to improve the community's dementia-friendly capabilities.

Matt MacDonald, Andrea Liftman, Sue Sussman, and Alyce Deveau were also present to speak about the initiative.

### **WASTE POLICY**

Town Administrator Sean Fitzgerald spoke in regard to his role in implementing the Solid Waste Policy. He acknowledged feedback from the community and expressed an apology for the Town's insufficient outreach prior to the implementation of the policy as well as the procedural missteps that omitted the Select Board's involvement on voting on the policy.

Each Select Board member spoke to acknowledge the Town Administrator's comments. Select Board member David Grishman emphasized the importance of improved communication with the Town.

Attorney Tom McEnaney from KP Law (Swampscott's Town Counsel) spoke to clarify the correct procedure regarding the policy. He confirmed that solid waste decisions are the authority of the Select Board. The Select Board can solicit input from the Town Administrator in regards to financial implications, and the Board of Health has the option to advise the Town Administrator and Select Board on any health-related issues. Ultimately, the Select Board has the jurisdiction over all contract related issues, while the Board of Health deals with public health issues related to trash.

Mr. Spellios provided some historical context and Attorney McEnaney confirmed that in 2011 Board of Health voted to approve a multi-page policy in 2011. At that time, the Board of Selectmen voted to approve \$2 overthrow sticker fee and the second vote which was to set a

specific six-month time period during which the three-trash container limitation would occur and then be voted on at a meeting at the conclusion of that time period. It does not appear in 2011 that the Select Board approved the full policy. The intention in this meeting is to reconcile and document how the changes to the Solid Waste Policy replaces or supplants what the Select Board voted upon in 2011.

There was procedural clarification regarding whether or not the Select Board and Board of Health needed to consolidate a document and both sign it. Attorney McEnaney stated that they do not both need to sign it, but it could be presented on the website as a consolidated document incorporating Board of Health and Select Board regulations. Both boards can pursue different regulations and they can be combined into one document or place.

Select Board member Polly Titcomb asked if there were any Open Meeting Law violations within this process. Attorney McEnaney confirmed that no Open Meeting Laws were violated.

Marianne Hartmann confirmed that the Board of Health is in favor of trash reduction. There was a conversation about illegal dumping. There has been effort to install cameras. Town Administrator Fitzgerald will return to the Select Board with a plan to address how we are dealing with illegal dumping

Town Administrator Fitzgerald walked through a presentation on the Waste Reduction Program, summarizing the new Solid Waste Policy and reasoning behind why this program was implemented. Assistant Town Administrator of Administration and Finance Ron Mendes provided a brief overview of August numbers to demonstrate that there was a 12.9% reduction in tonnage between August 2020 and August 2019 and a 34.5% increase in recycling. Comparing July and August 2020, tonnage decreased by 13% from July. Assistant to the Town Administrator Allie Fiske provided overview of other waste reduction programs.

Several residents spoke regarding the issue of the Solid Waste Policy. One resident expressed concern that the 2011 policy was not procedurally in place and asked if the Board of Health can clarify how overflows bags can be disposed of.

A resident requested that feedback be solicited, and this be carefully thought out and another asked why there is no town by-law or ordinance related to this policy. Attorney McEnaney does not recommend that a bylaw or ordinance be created on this issue as this is largely contractual with the waste hauler.

Residents asked if there could be a standing committee that is ongoing to track and continue to advise the Select Board.

Select Board Hause recommended that a preliminary vote occur on the Solid Waste Policy and that the policy be revisited in 90 days. Ms. Titcomb confirmed that the policy was well researched. Mr. Grishman mentioned the idea of a trash holiday and also questioned how we may increase participation in the composting initiative.

On **MOTION** (Titcomb) and **SECONDED** (Duffy) it was **VOTED** by roll call to create a Solid Waste advisory committee consisting of 9 people including Director of Public Health or designee, Representative of the Board of Health, Representative of the Select Board,

Representative of DPW or designee, and 5 residents. The committee is to report back 90 days of being appointed relative to changes they recommend to address implications of solid waste policy. Roll call: Duffy (YES) Titcomb (YES) Grishman (YES) Hause (YES) Spellios (YES)

This position will be posted for 30 days.

The Town will vote on a policy this evening with a final sign-off on the written document that will occur after two readings.

On **MOTION** (Titcomb) and **SECONDED** (Grishman) it was voted by roll call that the Board vote to ratify, validate and confirm the 2020 Solid Waste Reduction Policy developed by the Town Administrator and adopt this Policy effective as of August 3, 2020, which includes the following:

1. Each household will be issued one (1) 35-gallon wheeled cart provided by the Town, which will be collected each week by the Town's curbside collection contractor
2. Excess trash that does not fit in the Town-issued cart must be disposed of in overflow bags
3. Overflow bags can be purchased for \$15 for a sleeve of 5, or \$3 per bag
4. Bulk items that cannot fit inside the Town-issued cart or an overflow bag must be disposed of by purchasing a Bulk Item Sticker, which can be purchased for \$20 each per item

I further move that a written document that sets forth this Policy be prepared by the Town Administrator for review and approval by the Select Board at its next meeting on October 7, 2020.

Roll call: Titcomb (YES) Grishman (YES) Duffy (YES) Hause (YES) Spellios (YES)

### **FINANCIAL UPDATE**

Town Accountant Amy Sarro provided a brief presentation of the FY2020 End of Year Report, particularly a review of how the COVID CARES relief fund was used. The majority was used for Chromebooks for at-home learning.

Assistant Town Administrator Mendes went over adjustments to the FY21 budget. The large variation is Local Aid. At a minimum the Town will receive \$4.4 million for Chapter 70, and will be level funded for unrestricted local aid. Mr. Mendes reviewed considerations for an increased budget including reinstating non-union and union raises, adjusting the legal budget to reflect higher costs, adjust technology budget to upgrade GIS, adjust Health Department to add Mental Health program. Additional adjustments will be determined.

The Town Moderator will be invited to the October 7 meeting to talk about scheduling, though the meeting will likely occur the week before Thanksgiving.

### **OPEN SPACE & RECREATION PLAN UPDATE**

Senior Planner Molly O’Connell provided background about the Open Space & Recreation Plan. The current plan was developed in 2013. Municipalities are required to have an Open Space & Recreation Plan on file with DCR in order to be eligible for state funding, such as PARC grants.

The update must have certain elements as per state requirements. This does not require the entire plan to be updated but does require an updated 5-year action plan. She reviewed some effects that COVID-19 had on the community engagement process.

Most important options included beaches, sidewalks, neighborhood parks, protected conservation areas, bike paths, playgrounds, public boat access, athletic fields, indoor rec. Facility needs include natural conservation area, amenities, walking path,

Next steps include posting the draft plan online and print and in print, send plan to boards and committees identified as project partners, and the Select Board will get final draft in October to vote to approve submission to DCR with letter of recommendation.

## **CONSENT AGENDA**

The Massport Community Advisory Committee appointment and Grant of Verizon License were removed from the consent agenda. The CAC appointment was addressed at the beginning of the meeting and the Grant of License materials were deemed incomplete as there were not site plans included.

- Vote to approve gift of funds from Gelfand Family Charitable Foundation
- Vote to approve discharge of mortgage for Fisherman’s Watch Condominiums
- Vote to approve meeting minutes from September 2, 2020 meeting

On **MOTION** (Duffy) and **SECONDED** (Hause) it was **VOTED** by roll call to approve the consent agenda after removing the item related to the Community Advisory Committee and Verizon Grant of License. Roll call: Duffy (YES) Titcomb (YES) Grishman (YES) Hause (YES) Spellios (YES)

## **TOWN ADMINISTRATOR REPORT**

- Open Space and Recreation Plan
- Johnson Park survey
- Business dining updates
- Grants for awning/signage program
- Animal Control Officer
- School facilities reopening
- Recreation Programs
- Civil Service Committee
- Public Works (painting yellow lines, granite curbing, lighting project, beach raking)
- Library (now has laptops for outdoor use on patio)
- Town Clerk

## **SELECT BOARD**

Mr. Hause mentioned that there are questions regarding the expansion of the mask zone areas and that questions are going unanswered. He feels this should be overly communicated.

Mr. Grishman stated that beginning the week of 9/14/20, Anchor Food Pantry will be open on Wednesday evenings 6-8. Hours will be Monday 11am-1pm and Wednesday 6pm-8pm. Any Swampscott or Nahant resident can access the Anchor Food Pantry. Visitors are welcome to come once a week and choose grocery times. They are currently located at the Swampscott Senior Center, behind the High School. He also provided an update on the Park League program.

Mr. Duffy announced a Big Blue Bargains Sidewalk sale Saturday, September 19 from 9am-1pm. He also reminded people of the open School Building Committee Survey

On **MOTION** (Grishman) and **SECONDED** (Hause) it was **VOTED** by roll call to adjourn the meeting. Roll call: Grishman (YES) Titcomb (YES) Duffy (YES) Titcomb (YES) Hause (YES)

Meeting adjourned at 10:06 PM

True Attest,



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Allie Fiske, Assistant to the Town Administrator

*Minutes APPROVED by vote of the Select Board 10/7/20*